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INCORPORATED; and THE REGENTS OF  
THE UNIVERSITY OF CALIFORNIA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

GOOGLE INC.,

Plaintiff,

v.

EOLAS TECHNOLOGIES, INC.; and  
THE REGENTS OF THE UNIVERSITY  
OF CALIFORNIA,

Defendants.

Case No. 13-CV-05997-JST

**STIPULATION AND ~~PROPOSED~~  
ORDER TO DISMISS ACTION**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), and Local Rules 7-1 and 7-12, Plaintiff Google Inc. (“Google”) and Defendants Eolas Technologies Incorporated (“Eolas”) and The Regents of the University of California (the “Regents”) (collectively, “Defendants”) hereby stipulate through their respective counsel of record as follows:

WHEREAS, on November 17, 2014, the Court entered an Order (Dkt. 97) on Defendants’ then-pending Motion to Dismiss (Dkts. 77, 78 and 84), granting the Motion to Dismiss in part;

WHEREAS, in the Court’s November 17, 2014 Order, the Court dismissed without prejudice Google’s claims of non-infringement of the patents-in-suit; dismissed with prejudice Defendants’ counterclaims of infringement, including direct and indirect infringement, of the patents-in-suit against Google; and dismissed with prejudice any and all claims of infringement, including direct and indirect infringement, of the patents-in-suit that Eolas or the Regents has or may have in the future, including any claims of past, present or future infringement of the patents-in-suit against: (a) Google; (b) any Google affiliates; and/or (c) any users, customers, or Google partners with respect to Google products and/or services (including but not limited to services, components, hardware, software, websites, processes, machines, manufactures, and any combinations and components thereof, that are designed, developed, sold, licensed, or made, in whole or substantial part, by or on behalf of Google);

WHEREAS, the Parties desire to dismiss and to close the above-captioned Action;

**THEREFORE, IT IS HEREBY AGREED AND STIPULATED**, by and between Defendants and Google through their designated counsel, that:

- This Action shall be dismissed pursuant to the Court’s Order Granting in Part Defendants’ Motion to Dismiss (Dkt. 97);
- The Clerk shall close the case.

IT IS SO STIPULATED.

1 Dated: December 03, 2014

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

2  
3 By: /s/ Robert P. Watkins III  
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13 Attorney for Plaintiff  
14 GOOGLE INC.

15 Dated: December 03, 2014

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25 EOLAS TECHNOLOGIES  
26 INCORPORATED; and  
27 THE REGENTS OF THE  
28 UNIVERSITY OF CALIFORNIA

29 I hereby attest pursuant to L.R. 5.1(i)(3) that concurrence in the electronic filing of this  
30 document has been obtained from the other signatories.

31 Dated: December 03, 2014

/s/ Robert P. Watkins III  
Robert P. Watkins III


**~~PROPOSED~~ ORDER**

The Court having considered the stipulation of the Parties, orders as follows:

- This Action is dismissed pursuant to the Court's Order Granting in Part Defendants' Motion to Dismiss (Dkt. 97);
- The Clerk is instructed to close the case.

PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.

Dated: December 4, 2014

  
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Honorable Jon S. Tigar  
United States District Judge